

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:07CR148
Plaintiff,)	
)	
vs.)	ORDER
)	
LOUIS EADS,)	
)	
Defendant.)	

This matter is before the court on the motion to continue by defendant Louis Eads (Eads) (Filing No. 18). Eads seeks to extend the pretrial motion deadline and to continue trial. Since Eads has obtained new counsel, the court finds the motion should be granted. Eads has filed an affidavit consenting to the motion and acknowledging the time required by his motion would be excludable time under the Speedy Trial Act.

IT IS ORDERED:

1. Eads' motion to continue trial (Filing No. 18) is granted.
2. Eads is given until **on or before July 31, 2007**, in which to file pretrial motions pursuant to the progression order (Filing No. 8). The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **July 11, 2007 and July 31, 2007**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).
3. Trial of this matter will be rescheduled following the disposition of any pretrial motions.

DATED this 11th day of July, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge